

Section II (Remarks)

In the Office Action, the Examiner has required restriction under the provisions of 35 U.S.C. 121 between:

I. Claims 1-8 and 26-30, drawn to a pharmaceutical composition comprising a compound of formula I, classified in class 435, subclass 243.

II. Claims 9-25, drawn to a method of treating or preventing bacterial ear infection using a compound of formula I, classified in class 435, subclass 243.

Applicant herewith elects Group (I), claims 1-8 and 26-30, drawn to a pharmaceutical composition comprising a compound of formula I, without traverse. Claims 1-8 and 26-30 read on the pharmaceutical composition comprising a compound of formula (I).

CONCLUSION

The Examiner is requested to favorably consider the foregoing, and, upon granting of the Petition to Revoke, to responsively examine the application. If any issues require further resolution, the Examiner is requested to contact the undersigned attorney at (919) 419-9350 to discuss same.

Respectfully submitted,

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